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REMARKS

Claims 20-40 are pending. Claims 34, 37 were withdrawn based on an election. Claims 20-33 and 38-40 were rejected. Applicant believes these claims to be in condition for allowance.

Claim Rejections - 35 U.S.C. §112

The Examiner rejected claims 39-40 as being indefinite for failing to particularly point out and distinctly claim the subject matter, which Applicant regards as the invention. Specifically, the Examiner rejected the use of the phrase "substantially free of openings" for claim 39. Furthermore, the Examiner rejected the limitation of "prevents liquid...to the second side of the carrier". Applicant has amended these claims. Therefore, the rejection of these claims pursuant to 35 U.S.C. §112 has been overcome.

Claim Rejections - 35 U.S.C. §103

The Examiner has rejected claims 20-28, 32, 33 and 40 under 35 U.S.C. §103a as being unpatentable over *Marscholl* in view of *Schust*. Applicant disagrees with the basis for this rejection. Specifically, there is no motivation or suggestion to combine the references. As the Examiner acknowledges, *Marscholl* is silent concerning a seal. [Final Office Action (5/11/2005), p.3]. Furthermore, *Marscholl* relates to a layout of guides and cursors of an assembly, which the drive motor appears to be a sealed unit for mounting on the wet side of the door inner panel. Consequently, there is no need for sealing around the plate for the drive. One would not look to the particular ceiling coverage of *Schust* based on *Marscholl* because *Marscholl* expresses no need for such an arrangement. Furthermore, even if one of ordinary skill looked to *Schust*, they would only be taught a way of providing a seal between the drive and a cable drum, not a seal on the plate mounting the drive. Accordingly, the combination of references is improper for lack of

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sufficient motivation and/or suggestion to combine. Therefore, claims 20-28, 32, 33 and 40 stand in condition for allowance.

In addition, claim 20 requires "a plate mounting a drive for the window" and "said plate having a seal". Accordingly, the plate that mounts a drive for the window must have a seal. Even if one combined *Marscholl* and *Schust*, one would not have a plate mounting a drive with a seal as required by claim 20. Instead, one would have a seal between a drive housing and a cable drum housing. This is not a seal upon a plate of a cable carrier as claimed. Therefore, the foregoing claims are in condition for allowance for this independent reason.

Claim 33 depends upon claim 20 and further requires "said seal is mounted on the second face of said carrier." Neither *Marscholl* or *Schust* disclosed this particular positioning of the seal on the second face of the carrier. The Examiner does not provide any justification for the obviousness rejection of this claim. Therefore, this claim is separately allowable.

The Examiner further rejected dependent claims 29 and 30 under 35 U.S.C. §103a as being unpatentable over *Marscholl* in view of *Schust* and further in view WO 00/53446. Claim 29 requires a latch mounting plate for mounting the vehicle door latch on the carrier while claim 30 requires a door handle mounting plate on the carrier. The Examiner contends that WO 00/53446 discloses these features and that one of ordinary skill in the art would have motivation to combine these references with *Marscholl* to "increase the ease of assembling a vehicle door". However, an object of *Marscholl* is to have a compact window lift assembly. [*Marscholl*, Column 2, ll 13-15]. This object would be defeated by adding more components, such as a latch mounting plate and/or a door handle mounting plate. Therefore, one of ordinary skill in the art would not look to WO 00/53446 for its teachings. Also, there is no indication in *Marscholl* to

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add the features of a latch mounting plate or a door handle mounting plate to carrier 2. Without such a need one would not have motivation or suggestion to add these features. Therefore, the combination of *Marscholl* with WO 00/53446 is improper. Claims 29 and 30 are separately allowable.

As to the rejection of claim 31, the Examiner contends that *Szerdahelyi et al.* teaches an elongate cross member for having a U-shaped cross section. The Examiner contends that one would have motivation to increase the strength of the elongate members of *Marscholl* with the U-shaped cross section of *Szerdahelyi et al.* Nothing in *Marscholl* indicates the insufficiency of strength of the elongate members or *Marscholl*. Without such a need, one would not have motivation and or suggestion to combine with *Szerdahelyi et al.*

Also, as explained above *Marscholl* seeks to produce a compact lift assembly. The addition of material to form a U-shaped cross section would run counter to this purpose. Therefore, the motivation to combine these references is improper. Claim 31 should be allowed.

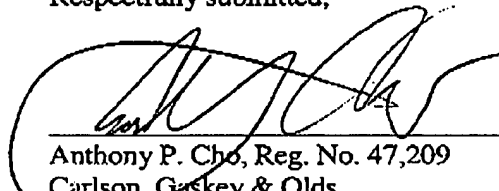
As to claims 38 and 39, the Examiner rejected these claims in view of the combination of *Herringshaw et al.*, *Borchuk et al.* and *Ritchie*. The Examiner first contends that there is motivation to provide *Herringshaw et al.* with a cable window regulator as taught by *Borchuk et al.* to increase the durability of the window regulator. However, *Herringshaw* does not show a window regulator. There would be accordingly no need to increase the strength of the regulator when there is none in *Herringshaw et al.* Furthermore, using the particularly shaped carrier of *Herringshaw et al.* with the window regulator assembly of *Borchuk* would, in fact, increase the durability of the window regulator as *Borchuk et al.* discloses a solid planar carrier while *Herringshaw et al.* discloses the carrier having holes. Furthermore, one could not combine any

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cable window regulator assembly of *Borchuk* with the carrier or *Herringshaw* because the carrier of *Herringshaw* provides insufficient room to manage a cable window regulator assembly. The carrier of *Herringshaw* is simply not tall enough for the assembly of *Borchuk*. Because the combination of references is improper, claim 38 and its dependents, claim 39 stand in condition for allowance. For the foregoing reasons, claims 20-33 and 38-40 stand in condition for allowance.

For the reasons set forth above, all claims are allowable, and an indication of such is requested. No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

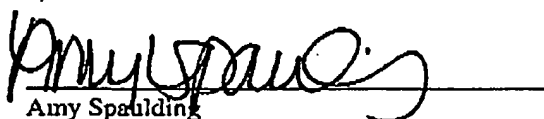
Respectfully submitted,


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CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, (703) 872-9306 on July 11, 2005.


Amy Spaulding